



REGISTRAR OF REGULATIONS  
08 OCT 16 AM 11:06

## **COMMONWEALTH of VIRGINIA**

### **Department of Health DIVISION OF SHELLFISH SANITATION**

109 Governor Street, Room 614-B  
Richmond, VA 23219

Ph: 804-864-7487  
Fax: 804-864-7481

### **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 041-092, UPPER EAST RIVER**

**EFFECTIVE 28 OCTOBER 2008**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 041-092, Upper East River," effective 29 October 2007, is cancelled effective 28 October 2008.
2. Condemned Shellfish Area Number 041-092, shown as Sections A, B, C and D, is hereby established effective 28 October 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-804 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Upper East River, Condemned Shellfish Number 041-092, 28 October 2008" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### **BOUNDARIES OF CONDEMNED AREA NUMBER 041-092**

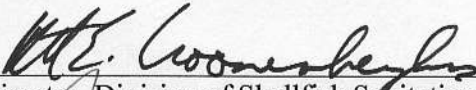
- A. The condemned area shall include that portion of the East River and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°25'53.0", -76°21'53.6") and map coordinate (37°25'50.8", -76°21'46.1").
- B. The condemned area shall include that portion of the Woodas Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°25'22.7", -76°21'03.2") and map coordinate (37°25'19.8", -76°20'58.4").
- C. The condemned area shall include all of the unnamed tributary of the East River lying upstream of a line drawn between latitude/longitude map coordinate (37°25'29.3", -76°21'55.5") and map coordinate (37°25'24.5", -76°21'52.7").



[www.vdh.virginia.gov/shellfish](http://www.vdh.virginia.gov/shellfish)

- D. The condemned area shall include all of the unnamed tributary of the East River lying upstream of a line drawn between latitude/longitude map coordinate (37°25'50.9", -76°21'58.0") and map coordinate (37°25'42.6", -76°21'59.7").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:


  
\_\_\_\_\_  
State Health Commissioner

10/15/08

\_\_\_\_\_  
Date

Virginia Department of Health  
Upper East River  
Condemned Shellfish Area Number 041-092  
28 October 2008

0 2,000 4,000  
Feet

 Condemned Shellfish Areas  
(Sections A - D)

**Section  
A**

**Mathews County**

**Mathews  
County**

**Section  
D**

STHY 622



Evans Rd

Woodas Creek  
05-10-10

**Section  
C**

**Section  
B**

STHY 621

East River  
05-10-00